

**Remarks/Arguments**

In a Final Office Action dated December 18, 2007, claims 1-3, 6, 19, 20, 29, 30, 32-35, 38, 51, 52, 61, 62, 64-67, 70, 83, 84, 93-95, 97-99, 102, 114, 115, 124 and 125 were rejected under § 112, ¶ 2 and claims 1-3, 6, 19, 20, 29, 30, 32-35, 38, 51, 52, 61, 62, 64-67, 70, 83, 84, 93-95, 97-99, 102, 114, 115, 124 and 125 were rejected under § 103 over Valdevit in view of Tech Note: Exploring Brocade ISL Trunking. Applicants request reconsideration in view of the remarks below.

**Section 112 Rejections**

Claims 1-3, 6, 19, 20, 29, 30 and 32 were rejected under § 112, ¶ 2 for recitations of “an edge switch,” “one switch,” “them” and “a switch.”

Claim 1 has been amended to replace “them” with “the frames.” Applicants traverse the remaining rejections. Referring to the preamble of claim 1, the claim recites an edge switch, a core switch and an edge switch, thus specifying the core-edge switch configuration. “An edge switch” is used in lines, 3, 5, and 12. Applicants submit that the use of “an edge switch” is proper. The claim is written to allow there to be multiple edge switches, both receiving and transmitting. Thus a frame enters an edge switch, proceeds to the core switch and exits an edge switch. There is no requirement that the receiving and exiting edge switches be the same switch. The use of “said edge switch” at any of the occurrences could imply that the referenced switch is the same switch as one previously recited in the claim. As this need not be the situation, Applicants have used “an edge switch” to indicate this possibility of the operations occurring in different switches. Therefore Applicants submit that the use of “an edge switch” is proper in all occurrences in claim 1 and is not indefinite.

As to the “one switch,” this term is used in specifying that one switch in the core-edge switch configuration selects a route through at least two switches. As defined in the preamble, the route is edge switch, core switch, edge switch, so that there are three switches in the full route. As the element requires selecting a route through at least two switches, this could be met in the first edge switch or in the core switch in the core-edge switch combination. Because either switch could meet the claim requirements, the use of

“one switch” is submitted as being proper to avoid limiting the claim language to a single switch and therefore is not indefinite.

As to “a switch” in claim 29, the same reasoning as stated above with respect to “one switch” applies as either a first edge switch or a core switch could add the tag, with a core switch or a second edge switch then using the tag information. Thus the use of “a switch” is proper to avoid limiting the claim to a single switch.

Claims 33-35, 38, 51, 52, 61, 62 and 64 were rejected under § 112, ¶ 2 for use of “an edge switch” and “a switch” in claim 33. Applicants submit that the arguments made above with respect to claims 1 and 29 apply equally.

Claims 65-67, 70, 83, 84 and 93-95 were rejected under § 112, ¶ 2 for use of “an edge switch” and “two switches” in claim 65. As to “an edge switch,” the claim element specifically states that there are at least two edge switches, thus allowing the possibility for greater than two edge switches. The element then defines the frame flow as from an edge switch to a core switch to an edge switch. As there can be multiple edge switches and the flow is not restricted to any two specific edge switches, the use of “an edge switch” is submitted as being proper. As to “two switches,” this language is being used to specify that the routing logic selects a route through at least two switches in the core-edge switch configuration. As previously defined, the frame flow is edge switch to core switch to edge switch. Therefore there are three cases where “at least two switches” are available for the routing, namely (1) first edge switch to core switch, (2) core switch to second edge switch or (3) first edge switch to core switch to second edge switch. The use of “two switches” without specifying particular combinations allows the three possibilities to be efficiently specified and thus is not indefinite.

Applicants request withdrawal of the § 112, ¶ 2 rejections.

**Section 103 Rejections**

Claims 1-3, 6, 19, 20, 29, 30, 32-35, 38, 51, 52, 61, 62, 64-67, 70, 83, 84, 93-95, 97-99, 102, 114, 115, 124 and 125 have been rejected under § 103 over Valdevit in view of TechNote. Applicants respectfully traverse the rejections.

**Independent Claims 1, 33, 65 and 97**

The independent claims all require either one switch or routing logic associated with a switch to select a route through at least two switches forming the core-edge switch configuration. The Office Action admits that Valdevit does not teach such a requirement.<sup>1</sup> Instead the Office Action refers to TechNote and a sentence under a heading of “Trunking Group” which states: “a simple algorithm to optimally distribute frames across a set of available paths that link two adjacent switches.” Applicants respectfully submit that the TechNote language has been misinterpreted. The language in TechNote is describing parallel paths between two switches as being the Trunking Group. See the end of the term, where it states: “It is possible to have two trunk groups per quad. This means having two 2-ISL trunks, with each trunk connected to a different switch.” Applicants then reference “Trunking Links” two items down. It states: “The components that comprise a trunk are termed trunking links. . . . A trunking link is analogous to an ISL.” See also Fig. 17, noting that the two right most edge switches (presumably edge6 and edge7) show the use of 3 ISL and 4 ISL trunks to the core switches. Specifically it shows a 4 ISL trunk from edge6 to core1 (left most core switch) and a 3 ISL trunk from edge7 to core1. Looking at the listing below the Figure, the 4 ISLs from edge6 are connected to ports 12-15 of core1 and noted as a “Trunking Group.” Similarly, the 3 ISLs from edge7 are connected to ports 8-10 and noted as a “Trunking Group.” Therefore the statement quoted in the Office Action means nothing more than distributing frames as they are routed out of the edge6 switch to the core1 switch in the Fig. 17 example. Thus routing is only done for one switch, not the “at least two switches”

---

<sup>1</sup> Applicants note that technically Valdevit is not properly a reference under §103 as the conditions of § 103(c) apply, but respond in a conservative fashion as one of the embodiments disclosed in Valdevit may have been on sale or in public use under § 102(b) more than one year before the priority date of the present application.

required in the claim. For further explanation of trunking, Applicants suggest reference to U.S. Patent Application Serial No. 09/872,412 entitled "Linking Trunking and Measuring Link Latency" incorporated by reference in the instant application.

Applicants submit that the rejection is improper and request withdrawal so that all claims in the application are allowed.

**Claims 29, 30, 61, 62, 93, 94, 124 and 125**

These claims all require tags added to a frame after the frame enters a switch and that the route is selected at least in part on those tags. The Office Action cited ¶ 63 of Valdevit. Paragraph 63 merely indicates that fields including D\_ID, S\_ID and X\_ID may be used to calculate the hash function. Such fields are part of the frame itself, specifically the frame header, and so cannot correspond to the required tag. Applicants reference page 17, lines 4-7 for a description of the tags and a clear explanation that they are not the S\_ID, D\_ID or similar fields. Further, there is no indication in Valdevit that such fields would be added to the frame after it enters a switch. Indeed, Valdevit teaches the opposite as those fields are fields contained in the header of the frames and so are present when the frame is originally created by a host or target.

Applicants submit that claims 29, 30, 61, 62, 93, 94, 124 and 125 are further allowable.

**Conclusion**

Based on the above remarks Applicants respectfully submit that all of the present claims are allowable. Reconsideration is respectfully requested.

Respectfully submitted,

March 17, 2008

Filed Electronically

/Keith Lutsch/

Keith Lutsch, Reg. No. 31,851  
Wong, Cabello, Lutsch,  
Rutherford & Bruculeri, L.L.P.  
20333 SH 249, Suite 600  
Houston, TX 77070  
832-446-2405